

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LUIS F. MARTINEZ-CORTES,

Defendant.

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8:06CR348

ORDER

This matter is before the court on defendant's motion for additional time to file pretrial motions [14]. Upon the representation that opposing counsel has no objection, the court finds that an extension to December 8, 2006 should be granted.

IT IS ORDERED that the motion [14] is granted, as follows:

1. The deadline for filing pretrial motions is extended to **December 8, 2006**.

2. In accordance with 18 U.S.C. § 3161(h), I find that the ends of justice will be served by granting defendant's request and outweigh the best interest of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., the time between **November 21, 2006 and December 8, 2006**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act, 18 U.S.C. § 3161 because failure to grant a continuance would deny counsel for the defendant or the attorney for the Government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. 3161(h)(8)(A) & (B)(iv).

3. Defendant shall file a waiver of speedy trial pursuant to NECrimR 12.1 as soon as is practicable.

DATED November 21, 2006.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**